

What Is a Rule Diagram?

A person is liable for copyright violation if:

- A;
- B; and
- C

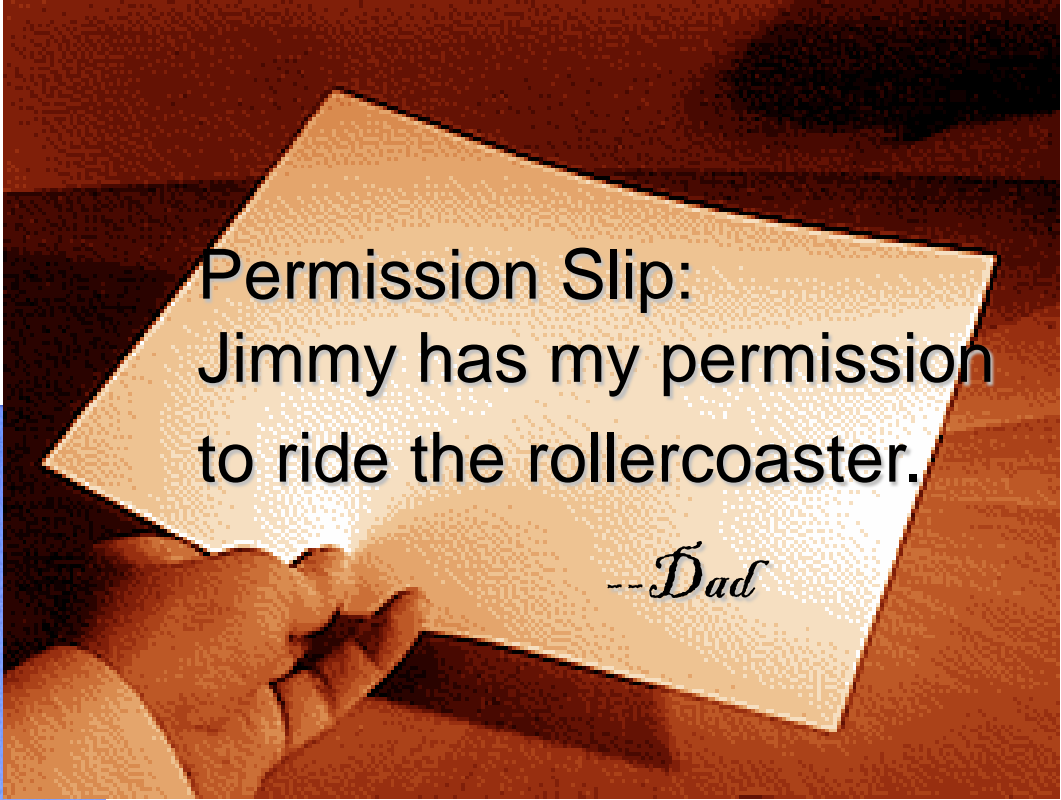
Except if:

- 1; or
- 2.

Who Cares?

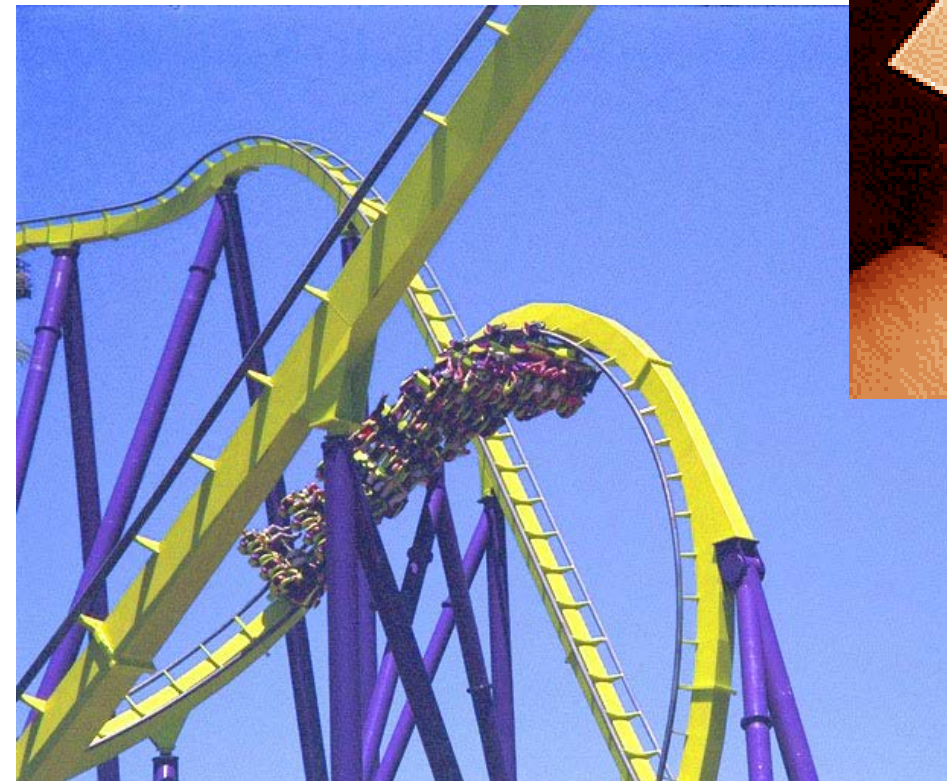
- To help you understand the rule by breaking it into discrete elements & understanding relationships between them.
- To help you organize your answer to a legal question (e.g., office memo or client letter)
- To help you organize a course outline.

Inner Structure of a Rule

A hand is shown holding a white, rectangular permission slip against a dark, textured background. The slip contains the text: "Permission Slip: Jimmy has my permission to ride the rollercoaster." followed by a signature in cursive: "--Dad".

Permission Slip:
Jimmy has my permission
to ride the rollercoaster.

--Dad



Inner Structure of a Rule

<i>Elements</i>	If (a) customer under 13 & (b) not accompanied by adult
<i>Causal Term</i>	then customer may not
<i>Result</i>	ride roller-coaster
<i>Exception</i>	unless she has a permission slip.

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Elements together called the “test.” If the test is satisfied, then the “result” happens.

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The **result** is what happens when the test is satisfied.

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<i>Causal Term</i>	then customer may not
<i>Result</i>	ride roller-coaster
<i>Exception</i>	unless she has a permission slip.

The **causal term** determines whether the result is mandatory, prohibitory, or discretionary.

Causal Term

- **Mandatory:** “Students *must* attend class.”
 - *Shall*
- **Prohibitory:** “Students *must not* use their cell phones during class.”
 - *Shall not*
 - *May not*
- **Discretionary:** “Students *may* ask questions at any time.”

<i>Elements</i>	If (a) customer under 13 & (b) not accompanied by adult
<i>Causal Term</i>	then customer may not
<i>Result</i>	ride roller-coaster
<i>Exception</i>	unless she has a permission slip.

The ***exception***, if present, defeats the result even if all the elements are satisfied.

Common Tests

- Conjunctive test (“&”)
- Disjunctive test (“or”)
- Factors test
- Balancing test

Conjunctive Test

All elements must be present for the test to be satisfied.

A customer may ride the rollercoaster only if he is:

A. Over age 13; &

B. Not taking any prescription medications.

Disjunctive Test

Test is satisfied if any *one* of the elements is present.

A customer may ride the rollercoaster only if:

A. He is over age 13; **or**

B. He is accompanied by a parent.

Factors Test

Lists factors to guide judge's discretion. Unlike conjunctive test, not all factors must be present for result to happen.

In deciding whether to waive deportation for extreme hardship, the judge must *consider the following factors:*

- A. health
- B. advanced age
- C. length of U.S. residence; &
- D. U.S. family ties.

Balancing Test

Judge weighs competing interests to decide which is stronger.

A party must respond to a properly propounded interrogatory unless

A. The burden of responding ***substantially outweighs***

B. The questioning party's legitimate need for information

Rules May Combine Several Tests

For rules combining several tests, choose 1 test as overall structure. Place other tests within subparts of that structure.

Evidence of a prior conviction may be admitted if:

- A. Its probative value ***outweighs*** its prejudicial effect; ***or***
- B. The crime involves dishonesty ***or*** false statement.